

FEDERAL TRADE COMMISSION  
 WASHINGTON, D.C. 20580

# NOTICE OF APPEARANCE



<b>CASE NAME</b>	<b>FILE/DOCKET NUMBER</b>
In the Matter of The Kroger Company and Albertsons Companies, Inc.	9428

Pursuant to Section 4.1 of the Commission's Rules of Practice, I (we) am (are) entering in the above proceeding the appearance of

- counsel supporting the complaint (Complete Items 1, 3, 4, and 5 below)
- counsel or representative for the respondent (Complete Items 1, 2, 4, and 5 below)
- counsel or representative for a third party (Complete Items 1, 2, 4, and 5 below)

<b>1. COUNSEL OR REPRESENTATIVE</b>	<b>2. RESPONDENT(S) OR THIRD PARTY(IES)</b>
-------------------------------------	---

Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding,

Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.

Darin Sands  
 1425 SW 20th Ave., Suite 201  
 Portland, Oregon 97201  
 Telephone: 503.734.2480  
 dsands@bradleybernstein.com

Gina Elliott  
 gelliott@bradleybernstein.com  
 3911 Harrison St., Suite 100  
 Oakland, California 94611  
 Telephone: 323-854-6543  
 gelliott@bradleybernstein.com

H Mart Companies, Inc.  
 300 Chubb Ave.  
 Lyndhurst, NJ 07071

**3. ASSOCIATE/ASSISTANT DIRECTOR**

<b>4. SIGNATURE OF SENIOR COUNSEL</b>	<b>5. DATE SIGNED</b>
/s/ Darin Sands	4/23/2024

**Return this form to:** Federal Trade Commission  
 Room H-113  
 600 Pennsylvania Avenue, N.W.  
 Washington, D.C. 20580

**PUBLIC**

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**In the Matter of**

**The Kroger Company,  
  
and  
  
Albertsons Companies, Inc.,  
  
Respondents.**

Docket No. 9428

**STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1**

In connection with the Notice of Appearance filed on this day, April 22, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bar of the State of California (State Bar No. 320093). As requested by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

Dated: April 23, 2024

s/ Gina Elliott

BRADLEY BERNSTEIN SANDS LLP  
3911 Harrison St., Suite 100  
Oakland, CA 94611  
gelliott@bradleybernstein.com  
Telephone: 323-854-6543

*Counsel for H Mart Companies, Inc.*

**PUBLIC**

**UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGES**

**In the Matter of**

**The Kroger Company,**

**and**

**Albertsons Companies, Inc.,**

**Respondents.**

Docket No. 9428

**STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1**

In connection with the Notice of Appearance filed on this day, April 22, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bar of the State of Oregon (State Bar No. 106624). As requested by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

Dated: April 23, 2024

s/ *Darin Sands*

BRADLEY BERNSTEIN SANDS LLP  
1425 SW 20th Ave., Suite 201  
Portland, Oregon 97201  
dsands@bradleybernstein.com  
Telephone: 503-734-2480

*Counsel for H Mart Companies, Inc.*

**PUBLIC****CERTIFICATE OF SERVICE**

I hereby certify that on April 23, 2024, I filed the foregoing document electronically using the Federal Trade Commission's e-filing system, which will send notification of such filing to:

James H. Weingarten or designee  
Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-113  
Washington, D.C. 20580  
[ElectronicFilings@ftc.gov](mailto:ElectronicFilings@ftc.gov)

The Honorable D. Michael Chappell  
Administrative Law Judge Federal Trade Commission  
600 Pennsylvania Ave., NW, Rm. H-110  
Washington, D.C. 20580  
OALJ@ftc.com

I further certify that on April 23, 2024, I caused the foregoing document to be served via email to:

**Complaint Counsel**

Charles Dickinson  
James H. Weingarten  
Emily Blackburn  
Paul Frangie  
Laura Hall  
Janet Kim  
Kenneth A. Libby  
Eric Olson  
Rohan Pai  
Harris Rothman  
Albert Teng  
Elizabeth Arens  
Jacob Hamburger  
Joshua Smith  
Katherine Bies  
Lily E. Hough  
Katharine Drummonds  
Federal Trade Commission  
Bureau of Competition  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
[cdickinson@ftc.gov](mailto:cdickinson@ftc.gov)  
[jweingarten@ftc.gov](mailto:jweingarten@ftc.gov)  
[eblackburn@ftc.gov](mailto:eblackburn@ftc.gov)

**PUBLIC**

[pfrangie@ftc.gov](mailto:pfrangie@ftc.gov)  
[lhall1@ftc.gov](mailto:lhall1@ftc.gov)  
[jkim3@ftc.gov](mailto:jkim3@ftc.gov)  
[klibby@ftc.gov](mailto:klibby@ftc.gov)  
[eolson@ftc.gov](mailto:eolson@ftc.gov)  
[rpai@ftc.gov](mailto:rpai@ftc.gov)  
[hrothman@ftc.gov](mailto:hrothman@ftc.gov)  
[ateng@ftc.gov](mailto:ateng@ftc.gov)  
[earens@ftc.gov](mailto:earens@ftc.gov)  
[jhamburger1@ftc.gov](mailto:jhamburger1@ftc.gov)  
[jsmith3@ftc.gov](mailto:jsmith3@ftc.gov)  
[kbies@ftc.gov](mailto:kbies@ftc.gov)  
[lthough@ftc.gov](mailto:lthough@ftc.gov)  
[kdrummonds@ftc.gov](mailto:kdrummonds@ftc.gov)

**Counsel for The Kroger Company**

Michael B. Bernstein  
Matthew Wolf  
Sonia Pfaffenroth  
Joshua Davis  
Michael Kientzle  
Jason Ewart  
Yasmine Harik  
Christina Cleveland  
Arnold & Porter Kaye Scholer LLP  
601 Massachusetts Ave, NW  
Washington, DC 20001  
Telephone: (202) 942-5227  
[michael.b.bernstein@arnoldporter.com](mailto:michael.b.bernstein@arnoldporter.com)  
[matthew.wolf@arnoldporter.com](mailto:matthew.wolf@arnoldporter.com)  
[sonia.pfaffenroth@arnoldporter.com](mailto:sonia.pfaffenroth@arnoldporter.com)  
[joshua.davis@arnoldporter.com](mailto:joshua.davis@arnoldporter.com)  
[michael.kientzle@arnoldporter.com](mailto:michael.kientzle@arnoldporter.com)  
[jason.ewart@arnoldporter.com](mailto:jason.ewart@arnoldporter.com)  
[yasmine.harik@arnoldporter.com](mailto:yasmine.harik@arnoldporter.com)

John Holler  
Arnold & Porter Kaye Scholer LLP  
250 West 55th Street  
New York, NY 10019  
Telephone: (212) 836-7739  
[John.holler@arnoldporter.com](mailto:John.holler@arnoldporter.com)

**PUBLIC**

Mark Perry  
Luke Sullivan  
Weil, Gotshal & Manges LLP  
2001 M Street, NW, Suite 600  
Washington, DC 20036  
Telephone: (202) 682-7511  
[mark.perry@weil.com](mailto:mark.perry@weil.com)  
[luke.sullivan@weil.com](mailto:luke.sullivan@weil.com)

Luna Barrington  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue New York, NY 10153  
Telephone: (212) 310-8421  
[Luna.barrington@weil.com](mailto:Luna.barrington@weil.com)

Bambo Obaro  
Weil, Gotshal & Manges LLP  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
Telephone: (650) 802-3083  
[bambo.obaro@weil.com](mailto:bambo.obaro@weil.com)

**Counsel for Albertsons Companies, Inc.**

Edward Hassi  
Debevoise & Plimpton LLP  
801 Pennsylvania Avenue, NW  
Washington, DC 20004  
Telephone: (202) 383-8135  
[thassi@debevoise.com](mailto:thassi@debevoise.com)

Michael Schaper  
Shannon R. Selden  
J. Robert Abraham  
Natascha Born  
Jaime Freilich-Fried  
Marieugenia Cardenas  
Tom E. Buckley  
Heather T. Mehler  
Marie Ventimiglia  
Debevoise & Plimpton LLP  
66 Hudson Boulevard  
New York, NY 10001

**PUBLIC**

Telephone: (212) 909-6737  
mschaper@debevoise.com  
srselden@debevoise.com  
jrabraham@debevoise.com  
nborn@debevoise.com  
jmfried@debevoise.com  
mcardena@debevoise.com  
tebuckley@debevoise.com  
htmehler@debevoise.com  
[msventim@debevoise.com](mailto:msventim@debevoise.com)

Mike Cowie  
James Fishkin  
Dechert LLP  
1900 K Street, NW  
Washington, DC 20006  
Telephone: (202) 261-3339  
mike.cowie@dechert.com  
[james.fishkin@dechert.com](mailto:james.fishkin@dechert.com)

Thomas Miller  
Dechert LLP  
Cira Centre 2929 Arch Street  
Philadelphia, PA 19104  
Telephone: (215) 994-2906  
[thomas.miller@dechert.com](mailto:thomas.miller@dechert.com)

George L. Paul  
White & Case LLP  
701 13th Street, NW  
Washington, DC 20005  
Telephone: (202) 626-3656  
[gpaul@whitecase.com](mailto:gpaul@whitecase.com)

Dated: April 23, 2024

s/ Gina Elliott  
Bradley Bernstein Sands LLP  
3911 Harrison St., Suite 100  
Oakland, CA 94611  
gelliott@bradleybernstein.com  
Telephone: 323-854-6543